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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,531	07/15/2004	James Claude Williams JR.	3834-001-27 PROV	3722

7590 11/01/2007  
JAMES C. WILLIAMS  
P.O. BOX 36  
CHURCHVILLE, VA 24421

EXAMINER

FRECH, KARL D

ART UNIT	PAPER NUMBER
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2876

MAIL DATE	DELIVERY MODE
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11/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Notice of Abandonment

Application No.

10/731,531

Examiner

Karl D. Frech

Applicant(s)

WILLIAMS ET AL.


Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on 17 April 2006.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☒ A reply was received on see attached but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$ \_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
Karl D Frech  
Primary Examiner  
Art Unit: 2876

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

1. This application is abandoned in view of applicant's failure to submit a reply to the Office Action mailed on 4/17/06 within the required period for reply.
2. The examiner acknowledges that applicant has made several attempts to respond to the Office Action mailed 4/17/06, however, none of these attempted responses are deemed to be compliant. Specifically, the proposed amendment filed 5/11/06 is deemed non-compliant for the reasons set forth in the Notice mailed 7/21/06; the proposed amendment filed 8/15/06 is deemed non-compliant for the reasons set forth in the Notice mailed 8/29/06; the proposed amendment filed 9/20/06 is deemed non-compliant for the reasons set forth in the Notice mailed 12/19/06; the proposed amendment filed 1/30/07 is deemed non-compliant for the reasons set forth in the Notice mailed 2/7/07; and the most recent proposed amendment filed 3/6/07 is deemed non-compliant as it has not been signed by applicant or an attorney of record.
3. The statutory response period to an Office Action is 6 months. Once this period has expired, an application is automatically considered "abandoned". If applicant believes this "abandonment" is in error, applicant may petition to have the application "revived". However, it is suggested that if applicant wishes to peruse such a "revival" applicant may wish to consult with a registered patent attorney or agent for the proper method of petitioning.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl D. Frech whose telephone number is (571) 272-2390. **If attempts to reach the examiner by telephone are unsuccessful, the**

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examiner's email address is karl.frech@uspto.gov. The examiner can normally be reached on maxi-flex.

If ALL attempts to reach the examiner are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Karl D Frech  
Primary Examiner  
Art Unit 2876

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